

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 06- 03

AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE SECTION 7.40.170.A TO ALLOW THE USE OF MUFFLED EXHAUST BRAKES ON FIRE FIGHTING APPARATUS

WHEREAS, Tualatin Valley Fire and Rescue (TVF&R) has completed a District-wide review of compression braking, also known as exhaust braking or "jake brakes"; and

WHEREAS, TVF&R apparatus using muffled compression brakes meet noise emission standards from the Environmental Protection Agency (EPA); and

WHEREAS, the Municipal Code exempts sounds caused by emergency work and emergency vehicles from noises standards in Section 7.40.180.B, but specifically prohibits the use of exhaust braking except in an emergency, in Section 7.40.170.A;

WHEREAS, TVF & R has requested clarification of the code to allow TVF&R emergency vehicles to continue to use muffled compression brakes in the City; and

WHEREAS, the Council concludes that the noise from properly muffled compression brakes on emergency vehicles will be at acceptable noise levels,

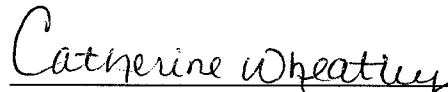
NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Tigard Municipal Code Section 7.40.170.A is amended to read as follows
(**bold underlined** is new language):


A. The use of exhaust brakes (jake brakes), except in an emergency **or except when used by a person operating an emergency services vehicle equipped with a muffled compression braking system**, is prohibited at all times within the City, regardless of noise level.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By Unanimous vote of all Council members present after being read by number and title only, this 11th day of April, 2006.

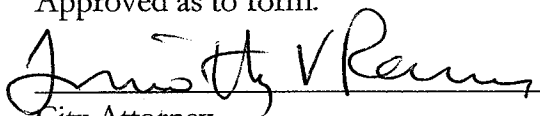

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 11th day of April, 2006.



Craig Dirksen, Mayor

Approved as to form:



City Attorney

4.13.06

Date